REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-22 are pending, with Claims 1, 7, 10, 15, and 17 amended by the present amendment.

In the Official Action, Claims 1-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Andrews (U.S. Patent No. 5,757,271) in view of O'Neil et al. (U.S. Patent No. 5,963,864, hereinafter O'Neil).

Claims 1, 7, 10, 15, and 17 are amended to more clearly describe and distinctly claim Applicants' invention. Support for this amendment is found in Applicants' originally filed specification.[1]

Briefly recapitulating, amended Claim 1 is directed to a mobile communication terminal device configured to communicate with a remote device via a wireless connection, the remote device configured to operate at one of a plurality of communication link security levels. The mobile communication terminal device includes a detection unit configured to detect which of the plurality of communication link security levels is in use at the remote device; and an announcing unit configured to announce the detected communication link security level. Each of the plurality of communication link security levels correspond to a strength of ciphering in use at the remote device

Andrews describes a portable computer and method for providing security for an electronic device. A security device installed within a first electronic device detects whether or not a second electronic device is within a selected proximity of the first electronic device. In response to a detection that the second electronic device is not within the selected

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[1] Specification page 4, line 18 – page 5, line 20.

proximity of the first electronic device, a signal is generated indicating that a security violation has occurred.[2]

However, Andrews does not disclose or suggest a communication link security level as recited in Applicants' amended claims and as described in Applicants' originally filed specification. That is, the proximity detection (anti-theft device) of Andrews does not is not a communication link security level because the proximity detection of Andrews is not a representation of strength of ciphering in use. Applicants have considered O'Neil and submit O'Neil does not cure the deficiencies of Andrews.

MPEP §706.02(j) notes that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Also, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Without addressing the first two prongs of the test of obviousness, Applicants submit the claimed invention is not *prima facie* obvious in view of O'Neil and Andrews because O'Neil and Andrews fail to disclose all the features of Applicants' claimed invention.

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[2] Andrews, Abstract.

Accordingly, in view of the present amendment and in light of the previous

discussion, Applicants respectfully submit that the present application is in condition for

allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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